

REMARKS/ARGUMENTS

Applicants have received the Final Office Action dated July 5, 2007, in which the Examiner: 1) rejected claims 1-7, 10-18 and 20-27 under 35 U.S.C. § 103(a) as allegedly obvious in view of “Enhancing Privacy and Trust in Electronic Communities” (Huberman) and U.S. Pub. No. 2004/0133640 (Yeager); and 2) rejected claims 8-9 and 19 under 35 U.S.C. § 103(a) as allegedly obvious in view of Huberman, Yeager and U.S. Pub. No. 2004/0192383 (Zacks). With this Response, Applicants amend claims 1, 11 and 24. Based on the amendments and arguments herein, Applicants respectfully submit that this case is in condition for allowance.

I. REJECTIONS IN VIEW OF HUBERMAN AND YEAGER

The Examiner rejected claims 1-7, 10-18 and 20-27 under 35 U.S.C. § 103(a) as allegedly obvious in view of Huberman and Yeager. As amended, claim 1 requires “enabling users of the first and second communication devices to physically locate one another.” As the Examiner admits in the Office Action, Huberman fails to teach or suggest such a limitation. P. 5, full paragraph 2.

As a result, the Examiner turns to Yeager. The Examiner asserts that paragraph 383 of Yeager discloses such a limitation. Applicants respectfully submit that the Examiner is mistaken. Paragraph 383 of Yeager is directed to the use of applications and services. Yeager teaches that an application may make use of a “discovery service to locate other peers.” However, this teaching is not the same as “enabling users of ... first and second communication devices to **physically** locate one another” (emphasis added), as required by claim 1. One of ordinary skill in the art would readily recognize that in a peer-to-peer networking context, as in Yeager, a “discovery service” that “locates” other peers does not refer to **physically locating** the peers, but instead refers to “discovering” the peers’ presence on a common network. In fact, Applicants’ interpretation of Yeager’s language is corroborated by Yeager itself, which in paragraphs 434-443 describes “peer groups.” In particular, Yeager teaches that peers may “discover” each other to form these peer groups. Yeager teaches that peers wishing to join a peer group may first “locate” a current member and request membership to the

group. Yeager clearly uses the terms “discover” and “locate” not to denote the discovery of a physical location, but instead to refer to the detection of peers on a common network.

Based on the foregoing, the combination of Huberman and Yeager fails to disclose the limitation recited above. Accordingly, independent claim 1 and dependent claims 2-10 are patentable over the combination of Huberman and Yeager.

Independent claim 11 requires “wherein the communication device discloses a physical location of a user of the external device to a user of the communication device.” As explained above, the combination of Huberman and Yeager fails to disclose such a limitation. Thus, independent claim 11 and dependent claims 12-23 are patentable over the combination of Huberman and Yeager.

Independent claim 24 requires “... one of the first or second communication devices enables a user of that communication device to physically locate a user of the other communication device.” As explained above, the combination of Huberman and Yeager fails to disclose such a limitation. Thus, independent claim 24 and dependent claims 25-27 are patentable over the combination of Huberman and Yeager.

II. REJECTIONS IN VIEW OF HUBERMAN, YEAGER AND ZACKS

The Examiner rejected claims 8-9 and 19 under 35 U.S.C. § 103(a) as allegedly obvious in view of Huberman, Yeager and Zacks. Claims 8-9 depend on independent claim 1, which is patentable over Huberman and Yeager, as explained above. Zacks fails to satisfy the deficiencies of Huberman and Yeager. Thus, claims 8-9 are patentable over the combination of Huberman, Yeager and Zacks.

Similarly, claim 19 depends on independent claim 11, which is patentable over Huberman and Yeager, as explained above. Zacks fails to satisfy the deficiencies of Huberman and Yeager. Thus, claim 19 is patentable over the combination of Huberman, Yeager and Zacks.

III. CONCLUSION

In the course of the foregoing discussions, Applicants may have at times referred to claim limitations in shorthand fashion, or may have focused on a particular claim element. This discussion should not be interpreted to mean that the other limitations can be ignored or dismissed. The claims must be viewed as a whole, and each limitation of the claims must be considered when determining the patentability of the claims. Moreover, it should be understood that there may be other distinctions between the claims and the cited art which have yet to be raised, but which may be raised in the future.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no extensions of time or fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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